

*m/003/031*  
**FILED**

MAY 22 1997

SECRETARY, BOARD OF  
OIL, GAS & MINING

**STATE OF UTAH**

**DIVISION OF OIL, GAS AND MINING**

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IN THE MATTER OF THE REQUEST	:	
FOR HEARING OF THE APPEAL OF	:	STIPULATION, MOTION
AGENCY ACTION TO ENFORCE	:	AND ORDER
VIOLATED MINERALS RULES, UTAH	:	
BUILDING STONE SUPPLY, GROUSE	:	DOCKET NO. 97-007
CREEK OPERATIONS, BOX ELDER	:	CAUSE NO. M/003/031
COUNTY, UTAH.	:	

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**STIPULATION**

The DIVISION and the OPERATOR, Utah Building Stone Supply HEREBY  
STIPULATE AND AGREE to DISMISSAL of the Appeal of the Decision dated March 25, 1997  
as follows:

1. The appeal is dismissed with prejudice.
2. The Order of Suspension of operations contained in the Notice of Agency Action dated January 21, 1997 shall remain in effect until Utah Building Stone Supply acquires an approved Large Mining Operation Notice of Intention from the Division for its Grouse Creek Quarry located at Sections 2, 3, 4, 10, and 11, Township 12 North, Range 17 West; and Sections 34 and 35, Township 13 North, Range 17 West, Salt Lake Base Meridian, Box Elder County, Utah. Continued removal of mineral materials at the Grouse Creek operations will constitute a willful violation of the Utah Mined Land Reclamation Act.
3. Each party will bear its own costs and attorneys' fees in this action .

4. The OPERATOR was advised of his right to be represented by counsel and declined to exercise this right.

AGREED to this 22 day of May, 1997.

DIVISION OF OIL, GAS, AND MINING

UTAH BUILDING STONE SUPPLY

by Daniel G. Moquin  
Daniel G. Moquin  
Assistant Attorney General  
for Division of Oil, Gas and Mining

by William L Bown  
William Bown  
Owner of Utah Building Stone Supply

## CERTIFICATE OF SERVICE

I hereby certify that I caused a true and correct copy of the foregoing STIPULATION, MOTION AND ORDER for Docket No. 97-007, Cause No. M/003/031 to be mailed by certified mail, postage prepaid, on this 29 day of May, 1997, to the following:

William Bown  
DBA: Utah Building Stone Supply  
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**Sent by Hand Delivery To:**

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